

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

JOSHUA G. BELK,

Plaintiff,

ORDER

v.

07-cv-301-bbc

FEDERAL BUREAU OF PRISONS,

Defendant.

In an order dated January 22, 2008, I preliminarily enjoined defendant Federal Bureau of Prisons from relying on 28 C.F.R. §§ 570.20 and 570.21 in determining plaintiff Joshua Belk's eligibility for a transfer to a halfway house. I gave plaintiff until February 8 to show cause why a permanent injunction should not be issued, explaining that if defendant did not respond by February 8, I would enter judgment in favor of plaintiff and direct the clerk of court to close this case.

Defendant has not responded to the January 22 order. Accordingly, IT IS ORDERED that defendant Federal Bureau of Prisons is PERMANENTLY ENJOINED from relying on 28 C.F.R. §§ 570.20 and 570.21 in determining plaintiff's eligibility for transfer to a halfway house. Instead, defendant must determine plaintiff's eligibility using the factors listed in 18

U.S.C. § 3621(b). The clerk of court is directed to enter judgment in favor of plaintiff and close this case.

Entered this 15th day of February, 2008.

BY THE COURT:

/s/

BARBARA B. CRABB
District Judge